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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,409	04/14/2005	Avtar Singh Chagger	2017-100US	8247
25881 7590 11/29/2007 EPSTEIN DRANGEL BAZERMAN & JAMES, LLP 60 EAST 42ND STREET SUITE 820 NEW YORK, NY 10165			EXAMINER NGUYEN, DUC M	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 11/29/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/531,409

Applicant(s)

CHAGGER, AVTAR SINGH

Examiner

Duc M. Nguyen

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims **1-9** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 5, 6, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims **1, 6-9** are rejected under 35 U.S.C. 102(b) as being anticipated by **Aallos** (WO **00/25503**).

Regarding claim 1, **Aallos** discloses an apparatus suitable for connecting a communications device or other audio/audio-visual device to an audio system, the apparatus comprising

- a cassette-type audio adaptor having receiver means for receiving audio and/or data signals transmitted from said device or **the like** (see Fig. 1 and pages 1-3) and
- connecting means connecting said receiver means to a head of the cassette-type audio adaptor thereby to apply said signals to said head (see Fig. 1 and pages 1-3).

Regarding claims 6-9, the claims are interpreted and rejected for the same reason as set forth in claim 1 above, wherein **Aallos** would teach features as claimed (see Fig. 1).

Claim Rejections - 35 USC 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable by **Aallos**.

Regarding claim 2, the claim is rejected for the same reason as set forth in claim 1 above. In addition, since the use of a Bluetooth chipset for wireless communication is

well known in the art as admitted by Applicant, and since Aallos also suggests the use of wireless communication in place of a cable connection (see page 2, lines 1-3), it would have been obvious to one skilled in the art at the time the invention was made to modify Aallos for utilizing a Bluetooth chipset as a means for wireless communication as well, for utilizing advantages of wireless communication such as eliminating a cable.

Regarding claim **3**, the claim is rejected for the same reason as set forth in claim 2 above. In addition, it is clear that Aallos as modified would obviously teach the Bluetooth chipset includes transmission means for transmitting audio signals back to said device as electromagnetic signals as claimed.

Regarding claim **4**, the claim is rejected for the same reason as set forth in claim 2 above. In addition, it is clear that Aallos as modified would obviously teach a microphone connected to said transmission means for detecting audio signals from a user and applying them to said transmission means (see Fig. 1).

Regarding claim **5**, the claim is rejected for the same reason as set forth in claim 2 above. In addition, it is clear that Aallos as modified would obviously teach a cassette-type adaptor comprising a microphone, a Bluetooth chipse, a transmitter means and a receiver means as claimed (see Fig. 1 and page 3).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

See the attached PTO-892.

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(571) 273-8300 (for **formal** communications intended for entry)

(571)-273-7893 (for informal or **draft** communications).

Hand-delivered responses should be brought to Customer Service Window,
Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Any inquiry concerning this communication or communications from the examiner
should be directed to Duc M. Nguyen whose telephone number is (571) 272-7893,
Monday-Thursday (9:00 AM - 5:00 PM).

Or to Nay Muang (Supervisor) whose telephone number is (571) 272-7882.

Duc M. Nguyen, P.E.

Nov 18, 2007

